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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Donna R. Searcy, Secretary Federal Communications Commission 1919 M St. NW, Room 222 Washington, DC 20554

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Before the FEDERAL COMMUNICATIONS COMMISSION

MAR 1 & 1993

In the Matter of

FCC - MAIL ROOM

Amendment of Section 2 and Section 15 of the FCC Rules, Title 47 CFR Section 2 and Section 15, to comply with the requirements of TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION ACT and the ELECTRONIC COMMUNICATIONS PRIVACY ACT.

ET Docket 93-1

To the Commission:

I have held an amateur radio license for more than thirty years and am presently licensed as Extra Class. As an amateur, I also volunteer in the communications wing of the Cass County (Indiana) Emergency Management Agency. This agency has a legitimate use for scanning receivers in its function of coordinating various law enforcement and civil agencies along with amateur radio.

The redefinition of a scanning receiver as described in Section 15.3(v) if flawed because any device meeting this definition could be part of a licensed station and a ban would mean denying licensees necessary equipment. Public safety agencies, utilities, amateur licensees and others use the 800 and 900 mHz part of the spectrum and must have equipment available. I can say from personal observation and experience that these receivers are necessary. Also, the definition of a scanning receiver "readily altered by the user" is flawed because the scanning receiver would have to be readily alterable by legitimate users